

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DALE KILLS ENEMY AT NIGHT, )  
)  
Plaintiff, )  
)  
v. )  
)  
WAL-MART STORES, Inc., )  
)  
Defendant. )

4:08CV3232

**MEMORANDUM  
AND ORDER**

Plaintiff, a non-prisoner, filed a Motion for Leave to Proceed In Forma Pauperis. (Filing No. [2](#)). Upon review of Plaintiff's Motion, the court finds that Plaintiff is financially eligible to proceed in forma pauperis.

IT IS THEREFORE ORDERED that leave to proceed in forma pauperis is provisionally granted, and the Complaint shall be filed without payment of fees.

December 8, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge